

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY *JE* D.C.
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PHILLIP E. BOYNTON, et. al.,)	
)	
Plaintiffs,)	
)	
v.)	No. 02-1111 M1/An
)	
HEADWATERS, INC., et. al.,)	
)	
Defendants.)	

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W/D OF TN, MEMPHIS

ORDER REGARDING PENDING MOTIONS

The Court hereby resolves the following motions pending in the instant case:

Plaintiffs' Motion for Writ of Habeas Corpus ad Testificandum, filed October 15, 2004 (Docket No. 253), is DENIED as moot.

Defendant Headwaters's Motion in Limine to Exclude Opinion Testimony, filed October 18, 2004 (Docket No. 256), is DENIED without prejudice.

Defendant Headwaters's Motion in Limine to Limit Plaintiffs' Use of Evidence of James G. Davidson's Criminal Convictions, or in the Alternative, for Separate Trials, Bifurcating Plaintiffs' Claims Against Headwaters from Plaintiffs' Claim of Fraud Against Mr. Davidson, filed October 18, 2004 (Docket No. 260), is DENIED without prejudice.

Defendant Headwaters's Motion in Limine to Exclude Evidence of any Claimed Interest in the '629 Patent Derivative of Adtech, Inc., filed October 18, 2004 (Docket No. 262), is DENIED without prejudice.

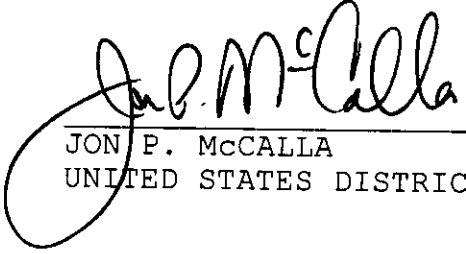
Plaintiffs' Motion for Extension of Time to File Pretrial Memorandum, filed October 18, 2004 (Docket No. 265), is DENIED as moot.

Plaintiffs' Motion in Limine Regarding Expert Testimony of Richard Hoffman, filed October 18, 2004 (Docket No. 267), is DENIED without prejudice.

Plaintiffs' Motion for Extension of Time to File Trial Brief, filed October 20, 2004 (Docket No. 277), is DENIED as moot.

Defendant Headwaters's Motion for Leave to File Reply, filed October 22, 2004 (Docket No. 289), is GRANTED. The Clerk is directed to file the reply brief attached as Exhibit 'A' to Defendant's motion.

So ORDERED this 17 day of August, 2005.



JON P. McCALLA
UNITED STATES DISTRICT JUDGE



Notice of Distribution

This notice confirms a copy of the document docketed as number 375 in case 1:02-CV-01111 was distributed by fax, mail, or direct printing on August 17, 2005 to the parties listed.

David R. Wright
WORKMAN NYDEGGER & SEELEY
100 Eagle Gate Tower
60 E. South Temple
Salt Lake City, UT 84111

Edwin E. Wallis
MOSS BENTON & WALLIS, PLLC
325 N. Parkway
P.O. Box 3897
Jackson, TN 38303--389

Charles J. Veverka
WORKMAN NYDEGGER & SEELEY
1000 Eagle Gate Tower
60 E. South Temple
Salt Lake City, UT 84111

Joseph G Pia
WORKMAN, NYDEGGER & SEELEY
1000 Eagle Gate Tower
60 E. South Temple
Salt Lake City, UT 84111

Greg Oakley
SMALL SOPER & OAKLEY
One Burton Hills Blvd.
Ste. 330
Nashville, TN 37215

Brent P. Lorimer
WORKMAN NYDEGGER
1000 Eagle Gate Tower
60 East South Temple
Salt Lake City, UT 84111

Larry R. Laycock
WORKMAN, NYDEGGER & SEELEY
1000 Eagle Gate Tower
60 E. South Temple
Salt Lake City, UT 84111

Jeffrey A. Greene
One Burton Hills Blvd
Ste 330
Nashville, TN 37215

R. Parrish Freeman
WORKMAN NYDEGGER & SEELEY
1000 Eagle Gate Tower
60 E. South Temple
Salt Lake City, UT 84111

Brian L. Davis
LAW OFFICE OF BRIAN DAVIS
919 Ferncliff Cove
Suite 1
Southaven, MS 38671

Honorable Jon McCalla
US DISTRICT COURT